

**MINUTES**  
**MICHIGAN STATE TRANSPORTATION COMMISSION WORKSHOP**  
**June 19, 2002**  
**Lansing, Michigan**

Meeting noticed in accordance with Open Meetings Act, Public Act 267 of 1976.

Present:     Barton LaBelle, Chairman  
              Ted Wahby, Vice Chairman  
              Betty Jean Awrey, Commissioner  
              Lowell Jackson, Commissioner  
              John Garside, Commissioner  
              C. Robert Baillod, Commissioner

              Charles Krupka, Commission Advisor  
              Jerry Jones, Commission Auditor  
              Vickie Plummer, Executive Secretary  
              Pat Isom, Assistant Attorney General  
              Greg Rosine, Director  
              Barb Hayes, Chief Administrative Officer  
              Larry Tibbits, Chief Operations Officer  
              Philip Kazmierski, Bureau of Urban and Public Transportation  
              Wayne Niles, Bureau of Finance and Administration  
              Louis Lambert, Bureau of Transportation Planning  
              Tom Maki, Office of Strategic Planning & Initiatives

A list of those people who attended the meeting is attached to the official minutes.

Chairman LaBelle called the meeting to order at 11:00 a.m. in the Bureau of Aeronautics Auditorium, Lansing, Michigan.

**NOISE ABATEMENT POLICY**

Chairman LaBelle opened the discussion for comments on the draft policy.

Vice Chairman Wahby expressed concern for areas where freeways have been constructed through existing neighborhoods. He strongly suggested that these areas be considered highest priority and would like to see the following statement addressed as the No. 1 issue of the policy: "In areas where the freeway was constructed through an existing neighborhood, the Department will identify and prioritize those locations and use the most reasonable and feasible means to mitigate traffic noise, within the constraints of available funding."

Chairman LaBelle commented on each section of the proposed policy. The first section addresses reduction of noise at the source, which is primarily pavement selection and mitigation by highway surface. The second section addresses noise abatement. The third section addresses adjacent land use to prevent situations from occurring in newly developed areas where land is zoned residential, which is incompatible with highway sound. The last section addresses noise abatement by developers and local governments.

The Chairman expressed the need to address priorities and local participation, to provide more specific language in the policy, and to include overriding language for allocation of the amount of resources the Commission is willing to dedicate to this infrastructure. The Commission needs to establish a policy for future Commissions based on its history. Resources going to highways have been scarce and there is not enough money to preserve and expand the present structure. The policy of this Commission has been to not build sound walls as noise abatement due to the lack of funds.

It was further recommended by the Chairman that once the Commission establishes a policy, communities should take the initiative to submit applications based on established criteria, alleviating the Department from the burdensome task of establishing location lists, and narrowing the list to only critical locations. Secondly, there should be an annual zero-based allocation in the budget for sound mitigation, being careful not to get into an "entitlement mentality" so as not to take monies from the highway program.

Director Rosine expressed concern that, over time, there would be an expectation that the Department will be building sound walls. He suggested that within the five-year plan, if allocations are made for sound walls, other interchange or expanded road projects may have to be identified for removal from the program in trade for these allocations.

Chairman LaBelle noted the possibility of continuing the current policy of no sound walls.

Vice Chairman Wahby reemphasized that there are locations where sound walls were promised to be built where highways were constructed through existing neighborhoods, before the Commission's moratorium on sound walls. Director Rosine also expressed empathy for these areas, but noted his concern that many areas build up around the expressway system for easy access to mobility. Chairman LaBelle stressed the need for encouraging compatible land use.

Commissioner Awrey communicated the need to hold developers and local governments accountable when building homes next to the highways, and is satisfied with language that states where there are no adjacent land-use planning and zoning efforts, there will be no sound mitigation. Chairman LaBelle asked that there be clarification language on this issue included in the policy.

Charles Krupka, Commission Advisor, noted that the Michigan Municipal League is very interested in working with the Department on developing some model ordinances to discuss with their membership.

Commissioner Jackson noted that the first section reflects current policy, and would like to see the language "reasonable and feasible" and "other technical and financial constraints" remain in the policy. The second paragraph of this section, in reference to new motor vehicle technology, can be removed as this is of little interest to those interested in sound mitigation and does not need to be addressed in this policy.

Commissioner Jackson furthered he is in agreement with Vice Chairman Wahby that if any noise walls are to be constructed, first consideration should be to those areas where the highway was built through existing neighborhoods. He also shares the concern that the program does not become an entitlement program.

Paragraph No. 3 is extremely important, as Commissioner Jackson believes land-use planning is strictly a function of local government. If a community has zoned an area next to a highway as residential, it is difficult to justify spending money on sound walls where people have made a conscious decision to move onto property next to a highway.

In regard to No. 4, the Commissioner noted that local governments and developers should be given more encouragement to coordinate their efforts in development "without obligating Department time" for the approval process.

Chairman LaBelle noted that the opening paragraph of the document needs to be revised to be more specific.

Commissioner Baillod agreed that Paragraph No. 2 is the most important and urgent, and suggested the old inventory be updated and prioritized according to a set of reasonable criteria. Criteria might include the number of people impacted and whether neighborhoods existed prior to the highway. In the prioritization, some assessment of the cost and feasibility of mitigation should be done, leading into the process of high priority projects being incorporated into the budget.

Director Rosine noted that updating the old statewide list of approximately 1,100 sites would require site visits, analysis of existing conditions, and historical searches on each site to determine what was in the vicinity at the time the roadway was built. He expressed concern that the Department has very limited resources, but if local communities put forth the effort to provide lists, their expectations may not be met and further pressure put on legislators to take action.

The Chairman believes local communities need to take the initiative and make application to the Department, and if the request meets the requirements, action could be taken. The Director expressed concern there would be expectations that something would then be done. Chairman LaBelle repeated one option would be for the Commission to continue the current policy of no sound walls, and the other option is to look only at those communities that were there prior to the highway. The Director furthered that in those areas that were present prior to the highway, there has been a turnover of home ownership, and that local units of governments may need to demonstrate which homes are currently occupied by the original owners.

Representative Jamnick expressed appreciation to the Commission for addressing this issue. She commented that sound is a quality of life issue for those living near highways, and she encouraged the Commission to not expect local units of government to take on this issue without leadership being provided by the Commission. The Representative also encouraged discussions with local units of governments, county road associations, and the Michigan Society of Planners, as well as a review of the history of the state trunklines throughout the state. There is a need to establish a policy as to do nothing is not acceptable to people in specific communities. The introduction of impact fees from developers has not moved in the Legislature, and comprehensive land-use is not a solution. She closed by saying that people have a right to share their views with elected officials and have some expectation of assistance with their problems.

Rayburn King, Michigan Asphalt Paving Association, expressed support of a noise mitigation policy that will address pavement noise at the source, where the automobile tires contact the pavement. Because highway funding is limited, the most cost-effective use of funds would be for quieter pavement surfaces to be incorporated into the Michigan Department of Transportation's highway construction and maintenance program. It was also suggested that the noise mitigation methods be evaluated on a dollar/decibel basis and that the pavement texture and material be considered as an option to the other methods of noise mitigation such as noise walls. Mr. King suggested that, during the life-cycle cost analysis procedure, the Department select the quietest pavement be used on new or reconstructed pavements, and that pavement surface treatment should be added to the list of options for noise abatement.

Larry Shoup, Northville, provided the following comments. He agreed that road noise should be a road reconstruction priority and that the best time to address noise issues is during the design and construction process, possibly with topography. It should be a high priority to build in road noise as part of the design of the road and the life-cycle cost analysis should be modified to reflect the importance of noise in reconstruction projects. Mr. Shoup encouraged the Department to raise public awareness of noise pollution, increasing traffic volume

forecasts, noise-associated health risks, and declining property values. He also encouraged ongoing research on the value and benefits of road remedies.

Joan Barber, Northville, provided the history of her residence near I-275 in Northville, and requested a noise barrier be built between her residence and the highway. She would like to see more information on current noise walls.

William Fertig, Northville, suggested including language in the policy to quantify decibel levels. If the decibel level is above a certain measurement for more than a specific percent of time, then action should be taken to lessen the noise level.

Fred Welsh, Northville, noted he is in agreement with the draft policy addressing the issues of "reduction of noise at the source" and "noise abatement." He expressed concern regarding the issue of encouraging developers and local governments not to build next to expressways. Mr. Welsh does not believe this is possible, but that walls can be effective if built close to the pavement. He furthered that noise mitigation should be built into the annual budget for road construction.

Bob Risser, Michigan Concrete Paving Association (MCPA), complimented the Commission on its draft policy and for its position on the life-cycle cost process that the Department currently uses to determine pavement type selection. MCPA encourages the Department to adopt some of the technology used by other states to develop standard texturing procedures for concrete to mitigate the pavement/tire noise issue.

Chairman LaBelle asked the Commissioners to provide further comments to the Commission Advisor, and requested an updated draft be provided to each Commissioner for their review prior to their next meeting. Once all comments have been received, the draft policy will be revised and provided for discussion at the July meeting.

## **ADJOURNMENT**

Chairman LaBelle adjourned the meeting at 12:20 p.m.

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Commission Advisor